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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-764-SI
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED] ORDER
	)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.	)	
	)	
JUAN HERRERA-SANTOS,	)	
	)	
Defendant.	)	
_____	)	

On February 1, 2008, the parties in this case appeared before the Court and stipulated that time from February 1, 2008 through February 8, 2008 should be excluded from Speedy Trial Act calculations because defense counsel needs adequate time to review discovery, which government counsel recently produced. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by this continuance

1 outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §  
2 3161(h)(8)(A).

3  
4 SO STIPULATED:

5  
6 JOSEPH P. RUSSONIELLO  
United States Attorney

7  
8 DATED: February 1, 2008

\_\_\_\_\_/s/  
9 TAREK J. HELOU  
Assistant United States Attorney


10  
11 DATED: February 1, 2008

\_\_\_\_\_/s/  
12 STEVEN KALAR  
Attorney for Defendant JUAN HERRERA-SANTOS

13  
14 As the Court found on February 1, 2008, and for the reasons stated above, the Court finds  
15 that the ends of justice served by the requested continuance outweigh the best interests of the  
16 public and the defendant in a speedy trial. The Court also finds that time from February 1, 2008  
17 through February 8, 2008 shall be excluded from Speedy Trial Act calculations for effective  
18 preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(A). Failing to grant the requested  
19 continuance would deny counsel reasonable time necessary for effective preparation, taking into  
20 account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §  
21 3161(h)(8)(B)(iv).

22  
23 SO ORDERED.

24  
25 DATED: \_\_\_\_\_

  
\_\_\_\_\_  
26 THE HONORABLE SUSAN ILLSTON  
United States District Judge